IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ryan et al.

Serial No.:   10/045,567

Filed: October 19, 2001

For: Nickel Blow Mold and Holder Defining
                             Heat Transfer Passages Therebetween

Examiner: Robert B. Davis

Group Art Unit: 1722

RESPONSE TO FIRST OFFICE ACTION DATED NOVEMBER 10, 2003, AMENDMENTS, AND REQUEST FOR RECONSIDERATION

Commissioner for Patents
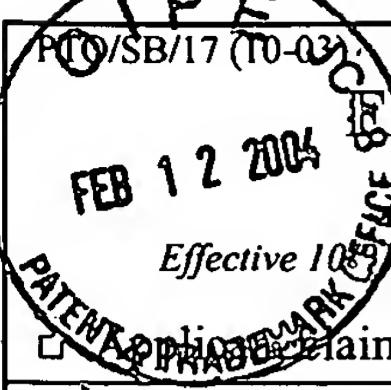P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1.   This is a response to the First Office Action dated November 10, 2003.

2.   The present claim status is as follows:

        a) claims 1-16 are pending,

        b) claims 1,13, and 15 were rejected under 35 U.S.C. §102 (b) as being anticipated by

U.S. Pat. No. 4,872,827 to Noda (hereinafter Noda),

        c) claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in

view of U.S. Pat. No. 3,097,398 to Inglesby (hereinafter Inglesby),

02/17/2004 DEHMANU1 00000043 10045567

01 FC:2201   86.00 OP
02 FC:2202   36.00 OP

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

Application Number	10/045,567
Filing Date	October 19, 2001
First Named Inventor	Ryan et al.
Examiner Name	Robert B. Davis
Group/Art Unit	1722
Attorney Docket Number	35683.0003

TOTAL AMOUNT OF PAYMENT ($)122

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: ___08-2442___
Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below
☐ Charge any fee deficiencies or credit any overpayments
☐ Charge any additional fees during pendency of this application.
☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	$
1002	340	2002	170	Design filing fee	$
1003	530	2003	265	Plant filing fee	$
1004	770	2004	385	Reissue filing fee	$
1005	160	2005	80	Provisional filing fee	$
				SUBTOTAL (1)	$

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

	Extra Claims	Fee from below		Fee Paid
Total Claims	/ / -20** = / 4 /	x / 9 / =		$36
Independent Claims	/ / - 3** = / 2 /	x / 43 / =		$86
Multiple dependent		/ / x / / =		$

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
				SUBTOTAL (2) $122

SUBMITTED BY:
John M. Del Vecchio   Reg. No. 42,475

SIGNATURE

DATE: February 10, 2004   Telephone: (716) 848-1644

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	$
1053	130	1053	130	Non-English specification	$
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	$
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	$
1251	110	2251	55	Extension for reply within first month	$
1252	420	2252	210	Extension for reply within second month	$
1253	950	2253	475	Extension for reply within third month	$
1254	1,480	2254	740	Extension for reply within fourth month	$
1255	2,010	2255	1,005	Extension for reply within fifth month	$
1401	330	2401	165	Notice of Appeal	$
1402	330	2402	165	Filing a brief in support of an appeal	$
1403	290	2403	145	Request for oral hearing	$
1451	1,510	1451	1,510	Petition to institute a public use proceeding	$
1452	110	2452	55	Petition to revive - unavoidable	$
1453	1,330	2453	665	Petition to revive - unintentional	$
1501	1,330	2501	665	10 advance copies / Utility issue fee (or reissue)	$ $
1502	480	2502	240	Design issue fee	$
1503	640	2503	320	Plant issue fee	$
1460	130	1460	130	Petitions to the Commissioner	$
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	$
1806	180	1806	180	Submission of Information Disclosure Statement	$
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	$
1809	770	2809	385	Filing a submission after final rejection(37 CFR 1.129(a))	$
1810	770	2810	385	For each add'l invention to be examined(37 CFR1.129(b))	$
1801	770	2801	385	Request For Continued Examination (RCE)	$
1802	900	1802	900	Request for Expedited Examination of a design application	$
				Other fee (specify) _____	$
				*Reduced by basic filing fee paid SUBTOTAL (3)	$

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d) claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of U.S. Pat. No. 5,968,560 to Briere et al. (hereinafter Briere et al.),

e) claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of U.S. Pat. No. 4,962,555 to Nakamura (hereinafter Nakamura),

f) claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Noda in view of Japanese reference (5-112887),

g) claims 2-3 and 7-12 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and intervening claims,

h) claims 17-24 are new claims.

3.   What follows is an amendment to a paragraph in the specification, followed by the amended claims. It is noted underlined words are being added, whereas words with a strikeout line through them or contained within double brackets are being deleted.

In the specification, page 4, at lines 18-23, please replace the fourth full paragraph with the following "replacement paragraph":

The mold holder 12 defines a recess 32 on its front face. The recess 32 is designed to receive the rear face 36 of the mold cavity shell 10 such that a heat transfer passage 39 is formed ~~therebetween~~ between the entire rear face of cavity 34 and recess 32 for air flow for cooling and heating mold cavity portion 13. Recess 32 also includes an air inlet(s) 40 and air outlet(s) 41 to allow for the entry and exit of air in the heat transfer passages 39. Similarly, the mold cavity bottom 14 can also have an air inlet(s) [[(43)]] 43 and air outlet(s) (not shown).